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Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to paragraph 39 of Security Council resolution 2147 (2014). It covers major developments in the Democratic Republic of the Congo since my report of 30 June 2014 (S/2014/450), including with regard to the implementation of national commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region and progress made by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in implementing its mandate. It also provides an update on the reconfiguration of MONUSCO and the transfer of tasks to the United Nations country team.

II. Major developments

Political developments

2. The formation of a new Government of "national cohesion" announced by President Joseph Kabila in October 2013 did not take place during the reporting period. The extraordinary session of Parliament, which was expected to focus on the adoption of three laws on the organization of local, provincial and general elections and one law modifying article 70 of the Constitution in order to change the voting system for provincial elections, also was not held. This fuelled speculation about further revisions of the Constitution in the future, aimed at circumventing presidential term limits.

3. The Independence Day (30 June) commemorations were dominated by President Kabila's speech, in which he paid tribute to the patriotism and valour of the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo — FARDC) in their victory over the rebels of the Mouvement du 23 mars (M23). Independence Day was preceded by statements from several opposition parties and coalitions, in which they rejected the electoral calendar published in May and opposed any constitutional amendments or changes to presidential term limits. Several opposition parties called for the restructuring of the Commission électorale nationale indépendante and the prosecution of its

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President. They also threatened to withdraw their representatives from the Commission.

4. The debate over constitutional changes continued to widen. Three weeks after the Conference of Catholic Bishops issued a statement reiterating its opposition to any revision of the Constitution, the Archdiocese of Kinshasa organized a conference in mid-July on the theme "Is now the appropriate time to amend the Constitution?". Among the featured speakers was one of President Kabila's advisers, who argued that the 2005 Constitution was not adapted to the post-transitional context and that a new Constitution was needed as the country transformed into an emerging regional power.

5. In July and August, the Secretary-General of the presidential majority, Aubin Minaku, and the President of the Parti du peuple pour la reconstruction et la démocratie, Evariste Boshab, among other influential political leaders, echoed views about the need to extensively revise the Constitution in order to adapt it to evolving realities. Some called for such amendments to be adopted by referendum and began campaigning for public support.

6. However, disagreements appeared to surface within the presidential majority, with the Mouvement social pour le renouveau publicly expressing concern about any modification of article 220 of the Constitution, which prohibits the revision of provisions relating to presidential term limits and other fundamental principles.

7. On 4 August, some of the main parliamentary opposition parties, including the Union pour la nation congolaise and the Union pour la démocratie et le progrès social, organized a rally in Kinshasa in opposition to any constitutional change that would end presidential term limits. National deputy and Union pour la nation congolaise General Secretary Jean-Bertrand Ewanga was arrested on 5 August on charges of slandering the Head of State and inciting ethnic hatred in relation to his statements at the rally, raising concern about respect for fundamental freedoms and political space for the opposition. On 11 September, the Supreme Court sentenced Mr. Ewanga to one year in prison for contempt of the President, the Parliament and members of the Government.

8. On 3 September, approximately 30 civil society organizations issued a statement for consideration by the Parliament, in which they opposed any amendment to the Constitution that would compromise progress in consolidating democracy and the rule of law.

9. On 15 September, in Kinshasa, the Parliament reconvened in an ordinary session, which was boycotted by members of Parliament from the Union pour la démocratie et le progrès social and the Union pour la nation congolaise in protest against the imprisonment of Mr. Ewanga. At the opening ceremony, National Assembly Speaker Aubin Minaku stated that the Assembly would have to take a decision on changing the voting system from direct to indirect suffrage for provincial elections, which implies a constitutional modification. He indicated that the modification of other articles, including article 220, should be decided by referendum. Senate President Kengo Wa Dondo declared his opposition to any attempt to change article 220, which limits presidential terms, and called upon national stakeholders not to support any such amendment, since it could jeopardize national cohesion and peace.

Progress on the implementation of national commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region: National Oversight Mechanism and benchmarking process

10. On 12 July, a matrix of 56 benchmarks and 347 indicators for the six national commitments under the Peace, Security and Cooperation Framework was endorsed at a high-level validation seminar organized by the National Oversight Mechanism and the Ministry of Planning, with the support of MONUSCO, the United Nations country team and other international partners. Emphasizing national ownership of the benchmarking process, the seminar paved the way for the inclusion of the national commitments in the budget planning for 2015. On 17 September, the Steering Committee of the National Oversight Mechanism, chaired by President Kabila, adopted the matrix.

Security sector reform

11. There was no progress on the adoption by the Government of a national security sector reform strategy. Only very limited progress was achieved on the establishment of a rapid reaction force within FARDC. A dedicated FARDC reform focal point was designated to act as the Mission's army and defence reform interlocutor. The need to establish a rapid reaction force by the end of March 2015 was also included in the national benchmarks for the Peace, Security and Cooperation Framework, but priority actions for implementing this benchmark were still under discussion. The use of the tactical training centre (Centre d'entrainement tactique des bataillons) for training the rapid reaction force in Kisangani was called into question following the Government's decision that the facility be used in the short-to-medium term for the Forces démocratiques pour la libération du Rwanda (FDLR) disarmament process.

12. Police reform continued to be hampered by a $173 million shortfall in the 2014 national budget. Advocacy efforts focused on ensuring that a sufficient allocation be included in the 2015 budget. Budget constraints have had a negative impact on plans to remove officers that are unfit for service from the Congolese National Police ranks, conduct capacity-building activities and build a police academy and police stations.

Consolidation of State authority

13. Through quick-impact projects, the road linking Walikale, Itebero and Otobora is being rehabilitated. Under the International Security and Stabilization Support Strategy, other road rehabilitation projects are ongoing, including on the following axes: Sake-Walikale-Hombo, Bunyakiri-Hombo-Musenge, Baraka-Fizi-Minembwe and Burhale-Shabunda. These projects enable the State to establish its presence in remote rural areas through the redeployment of local administrative authorities and increased mobility of national security forces and MONUSCO, for a quicker response to community protection alerts.

14. Restoration of State authority was supported through islands of stability in the territories of Masisi, Rutshuru and Walikale in North Kivu and Shabunda territory in South Kivu. This encompassed capacity-building for over 700 local authorities and civil society members. Activities focused on national guidelines for territorial administration, conflict management and democratic governance, resulting in an improved understanding of the decentralization process and the establishment of local conciliation committees to increase dialogue among communities.

Decentralization

15. Only modest progress was achieved in implementing the reforms defined under the Constitution, especially in respect of fiscal decentralization and the adoption of legal frameworks to subdivide provinces and establish decentralized governing structures. A number of important implementing laws and measures, such as those regarding the definition of boundaries for future provinces, the establishment of a mechanism to redistribute revenues among provinces and the reorganization of public administration, remained pending.

Structural reforms of government institutions, including financial reforms

16. Progress in structural reforms was mixed. On 2 July, the International Board of the Extractive Industries Transparency Initiative designated the Democratic Republic of the Congo as "Board-compliant". The country's status had been temporarily suspended in April 2013.

17. In July, the Central Bank of the Congo began a consultative process on the possible creation of a stock exchange. The Bank also implemented reforms aimed at ending the use of the United States dollar as legal tender in the Congolese economy. In contrast, structural reforms to further the independence of the Central Bank of the Congo, including through its recapitalization, and to improve the transparency and governance of State-owned enterprises in the mining sector remained stalled.

Reconciliation, tolerance and democratization

18. On 7 July, the nine members of the new Constitutional Court were appointed by presidential decree. The Court has, inter alia, jurisdiction over the interpretation of the Constitution and replaces the Supreme Court as the final jurisdiction for adjudicating electoral disputes in respect of legislative and presidential elections.

19. On 9 July, the Government announced an additional 246 beneficiaries of the Amnesty Law of 11 February. While 153 were from the Mayi-Mayi Kata-Katanga, no former M23 elements were listed. The six-month period to request amnesty expired on 15 August. Nonetheless, the Government undertook to grant amnesty to eligible applicants, including former M23 elements, regardless of the expiration of the grace period. Thus, on 3 September, the Government announced an additional 272 beneficiaries of the Amnesty Law, including 191 former M23 combatants, 162 of whom are in Uganda awaiting repatriation.

Electoral developments

20. Preparations for local elections proceeded, albeit at a slow pace. Following a pilot exercise in Bandundu, the process of updating the voters' register and mapping polling stations was launched in the remaining 10 provinces and is expected to conclude at the end of November.

21. At the 18 July and 27 August meetings of the Partnership Committee and the Elections Technical Committee respectively, the Commission électorale nationale indépendante, MONUSCO, the United Nations Development Programme (UNDP) and donors continued to discuss the UNDP electoral support project. Partners clearly linked their financial commitment to the publication of the 2014-2016 global electoral calendar. Delays in finalizing a multi-year electoral budget and the lack of a clear disbursement plan for funds already allocated delayed the procurement

process, resulting in a projected two-month slippage in the partial operational calendar, which currently envisages local elections taking place between June and October 2015. The first set of local elections is now foreseen for mid-August 2015.

22. On 24 July, the Commission électorale nationale indépendante successfully organized legislative by-elections in Befale, Equateur Province, a seat unoccupied since the Supreme Court's cancellation of by-elections in 2011. Provisional results were published on 25 July, with definitive results expected in October.

23. On 21 August, the Commission fired 96 staff members who were reportedly involved in acts of theft and illegal sale of Commission material, embezzlement of funds, falsifying voter registration cards and abandoning their posts.

Situation in the eastern Democratic Republic of the Congo

24. The security situation in North Kivu continued to be dominated by the FDLR voluntary disarmament process and the pursuit of military operations against the Allied Democratic Forces (ADF), Nduma Defence of Congo/Cheka (NDC/Cheka) and other armed groups.

25. Although ongoing military operations significantly weakened ADF, the rebel group retained the capacity to launch sporadic ambushes against FARDC. The main thrust of the military operations against ADF in Beni territory, which resumed on 15 July, were aimed at disrupting the group's supply routes. As a result of the pressure from FARDC, ADF split into small groups, with some reportedly moving towards Virunga National Park, regarded as an ADF sanctuary. According to the Administrator of Beni territory, by early August, approximately 280 out of the 600 hostages believed to be held by ADF had been released and returned to their villages.

26. In Walikale territory, FARDC-led operations to neutralize NDC/Cheka — launched on 2 July with the support of MONUSCO — resulted in the recapture of the main Kashebere-Mpofi-Walikale Centre axis, including the group's former strongholds in Buniyampuli and on the Kibua-Pinga axis. The operations continued on the northern side of the Osso River. As a result of the operations, 23 NDC/Cheka elements surrendered to MONUSCO in August.

27. In southern Walikale territory, at least 13 schools were forced to close in July, owing to clashes between rival factions of Mayi-Mayi Raia Mutomboki. In mid-August, FARDC launched operations against Mayi-Mayi Raia Mutomboki and Mayi-Mayi Kifuafua elements on the Itibero-Hombo axis, regaining control of the axis by 22 August. In late August, in Rutshuru territory, FARDC commenced joint operations with rangers of the Institut congolais pour la conservation de la nature to dislodge FDLR-Forces combattantes Abacunguzi, FDLR-Rally for Unity and Democracy and Mayi-Mayi Shetani from the area west and north-west of Nyalima.

28. On 13 August, in Remeka, South Masisi, 17 alleged former M23 elements led by former Rwanda Defence Force Captain Gapasi were arrested by a Mayi-Mayi Raia Mutomboki faction led by "Colonel" Maachano and a Mayi-Mayi Kifuafua splinter group. FARDC presented this arrest as a step towards dismantling M27, a group that would have been reconstituted on the remnants of M23, with a similar seditious agenda. Some elements belonging to this group seemingly came from Ngoma camp in Rwanda. They were part of the M23 faction led by Bosco Ntaganda and could have returned clandestinely to Masisi in order to secure economic interests.

29. The security situation in the Ruzizi Plains of South Kivu remained volatile. Following the killing on 6 June of at least 34 civilians in the village of Mutarule, a significant rise in inter-ethnic incidents was reported, including cattle rustling, abductions and killings. In addition to launching an internal investigation into the 6 June killings, MONUSCO increased patrols and supported the deployment of joint investigation teams with Congolese military justice officials. Two persons were arrested in relation to the killings, including the Commander of the FARDC 1052nd battalion. Following the killing of another six civilians on 13 August in Mutarule, MONUSCO launched internal investigations and supported the deployment of two joint investigation teams with the FARDC Military Prosecutor. Another three individuals were killed on 23 August in what appeared to be ethnically targeted killings in Itombwe, Mwenga territory. In a bid to stem rising tensions, MONUSCO identified the locality of Sange as a location for establishing an island of stability.

30. The security situation in southern Uvira and Fizi territories continued to be marked by renewed military activities by Mayi-Mayi Yakutumba, with clashes with FARDC reported in the Ubwari Peninsula, Baraka, Misisi, Mizimu, Yungu and Talama villages and a significant increase in piracy on Lake Tanganyika.

31. The security situation in Katanga province remained fragile. Attacks and exactions by Mayi-Mayi Kata-Katanga in Mitwaba territory resulted in the displacement of an estimated 50,978 persons. From 15 to 18 July, MONUSCO fielded a mission to Mitwaba to ascertain the veracity of the reported intention of the group's leader, Gédéon Kyunguto, to surrender. MONUSCO started deploying a temporary operating base in Mitwaba to facilitate his surrender as well as the creation of an island of stability in the locality. Contrary to his intention to surrender, Gédéon Kyunguto set up headquarters in the caves of Kibawa in western Moba territory, from which he started recruiting and training local youth. On 17 August, the headquarters was overrun by FARDC.

32. In other developments in Katanga Province, intercommunity conflict between the Balubakat and the Pygmies in Manono territory spilled over into Kalemie, Kabalo and Nyunzu territories, resulting in the displacement of some 80,000 persons fleeing atrocities reportedly committed by both sides. MONUSCO responded by deploying a number of fact-finding missions in Kabalo territory, which gathered information on allegations of gross human rights violations, mainly perpetrated by the Balubakat militia against the Pygmy. MONUSCO subsequently deployed a special investigation team to ascertain these reports and launched an island of stability project in Manono territory to deal with the situation.

33. In Orientale Province, in Mambasa territory, Mayi-Mayi Simba carried out several attacks on gold mining sites and civilians, reportedly to avenge the death of their leader, Morgan, who was killed during his surrender to FARDC on 14 April, as well as for financial gain. These included an attack on 5 July in Bakaiko, during which 17 women were raped and 16 civilians were killed. Similarly, in the night of 6 to 7 July, another faction of this group attacked Alota village, killing four civilians and abducting an indeterminate number of people. Mambasa was identified as a location for the establishment in September of an island of stability.

34. The security situation in Ituri district, especially in South Irumu, remained volatile and unpredictable despite ongoing FARDC operations against the Forces de résistance patriotiques en Ituri (FRPI). Between 20 and 26 July, FRPI perpetrated attacks and exactions against Sorodo, Kagoro, Songozo, Kamatsi, Mukubwa and

Bunga villages. In Sorodo, FRPI militia allegedly assaulted and wounded eight civilians, including a pregnant woman, and looted household items. Negotiations between FARDC and the FRPI leader, Cobra Matata, for the group's surrender continued but failed to produce the desired outcome.

35. The security situation in Bas- and Haut-Uélé remained relatively calm, with reported breaches of public order and criminal activity by small groups of bandits or suspected Lord's Resistance Army (LRA) elements. Most incidents were concentrated in the Duru-Doruma-Dungu Triangle in Niangara territory and along the borders with the Central African Republic and South Sudan. During the reporting period, 81 LRA dependants were released in Bas- and Haut-Uélé between 26 August and 4 September. To counter the LRA and other activities carried out by unidentified armed elements, MONUSCO established a mobile operational base in Kiliwa from 8 to 10 September and conducted night and day patrols as well as aerial reconnaissance.

Humanitarian situation

36. The estimated number of internally displaced persons remained at 2.6 million. However, significant new displacements occurred in Southern Irumu owing to attacks by FRPI and in Katanga's Tanganyika District owing to fighting between Pygmy and Balubakat groups.

37. On 19 August, the Office of the United Nations High Commissioner for Refugees restarted voluntary return operations for former Angolan refugees by train from Kinshasa and Bas-Congo. Out of 47,851 refugees, 29,659 have expressed the wish to return to Angola, with the other 18,192 opting for reintegration into the Democratic Republic of the Congo.

38. On 24 August, the Ministry of Health confirmed the outbreak of Ebola in Boende District, Equateur Province. By 9 September, 64 cases had been reported, including 35 deaths owing to a strain homologous to the Zaire Kikwit strain. This outbreak is unrelated to the West African Ebola outbreak. A quarantine affecting 40,000 people has been established in the 100-km area surrounding Djera, the Ebola epicentre. The Government of the Democratic Republic of the Congo and the United Nations humanitarian country team are cooperating on an $8.6 million emergency response.

39. Meanwhile, the humanitarian appeal for the Democratic Republic of the Congo, set at $832 million, remains only 36 per cent funded.

Economic developments

40. The International Monetary Fund projected a growth of 8.5 per cent in the gross domestic product of the Democratic Republic of the Congo in 2015; this is down slightly from 2014, mainly owing to fluctuations in the international prices of the country's main mineral exports. Notwithstanding recent strong economic growth, poverty remained widespread and posed a risk to the achievement of the Millennium Development Goals. Reviewing economic and social indicators, the UNDP *Human Development Report 2014: Sustaining Human Progress: Reducing Vulnerabilities and Building Resistance*, published on 24 July, ranked the Democratic Republic of the Congo 186th out of the 187 countries assessed.

Regional developments

41. On 2 July, in Luanda, at a joint ministerial meeting of the International Conference on the Great Lakes Region and the Southern African Development Community (SADC), participants agreed to extend the 22-day FDLR disarmament plan of the Government of the Democratic Republic of the Congo by an additional six months, with a midterm review on 2 October. Under the leadership of the Minister for Foreign Affairs, on 16 July, the Government established a two-tiered coordination mechanism with the International Conference on the Great Lakes Region, SADC and MONUSCO to agree on political and strategic decisions for the technical process. At the monthly ambassadorial plenary meetings on 2 August and 2 September and at ad hoc working-level meetings, the discussion focused on developing criteria to evaluate progress and defining steps for moving the process forward.

42. On 6 August, a joint delegation of the Government of the Democratic Republic of the Congo, the International Conference on the Great Lakes Region, MONUSCO and SADC travelled to Lusumambo to deliver a strong message to the FDLR leadership, including that all FDLR elements should leave the Democratic Republic of the Congo within the six-month time frame via voluntary repatriation to Rwanda or relocation to third countries; that 70 per cent of the estimated 1,400 combatants should disarm by 2 October; that units should disarm, with their leadership; and that all human rights violations and illicit economic activities should cease immediately. The delegation also asked the FDLR leadership to order the immediate transfer of disarmed elements and dependants from temporary camps in the Kivus to Kisangani, in Orientale Province. On 7 August, as part of his statement to the Security Council, the Minister for Foreign Affairs, Raymond Tshibanda, warned FDLR that it should surrender in greater numbers and either disarm voluntarily or face FARDC and the Force Intervention Brigade. In open letters signed by the armed group's interim president, Victor Byiringiro, to the Security Council on 4 August, to the United States Special Envoy for the Great Lakes Region of Africa and the Democratic Republic of the Congo on 8 August and to the incoming SADC Chair, President Mugabe of Zimbabwe, on 27 August, FDLR made clear its position that it would not, under any circumstances, move from the Kivus to a transit camp in Kisangani or engage in a disarmament, demobilization, repatriation, resettlement and reintegration process, unless as an outcome of dialogue with the Government of Rwanda.

43. On 14 August, the President of Angola, José Eduardo Dos Santos, hosted a mini-summit of regional Heads of State to discuss common security issues, including the FDLR disarmament process and the repatriation of former M23 combatants. The Presidents of the Democratic Republic of the Congo, South Africa and Uganda were present, with ministerial participation from the Republic of the Congo, Rwanda and the United Republic of Tanzania. The communiqué of the mini-summit reinforced the ultimatum to disarm within six months of 2 July and stated that military action would be planned if there was no progress on clear benchmarks at the 2 October midterm evaluation.

44. An SADC summit held in Zimbabwe on 17 and 18 August endorsed the 2 July decision of the Joint Ministerial Meeting of the International Conference on the Great Lakes Region and SADC, according to which voluntary disarmament by FDLR should be completed within six months. The summit also called upon the

United Nations, in cooperation with the African Union, to play its role in repatriating FDLR elements who have voluntarily surrendered and disarmed or provide them with temporary resettlement in third countries outside the Great Lakes Region.

45. At the 2 September plenary of the FDLR coordination mechanism, Minister Tshibanda underlined his Government's determination that all FDLR leave the country within the six-month time frame. He noted an emerging consensus among stakeholders that FDLR had not sincerely engaged in an unconditional disarmament process and that that process had stalled.

46. Other initiatives to strengthen regional cooperation and build confidence were also undertaken. For the first time in seven years, the Democratic Republic of the Congo-Uganda Joint Cooperation Commission held bilateral exchanges, from 24 to 27 August in Kinshasa, aimed at reviewing progress on confidence-building measures and cooperation in the areas of defence, security, the judiciary, education and culture. A number of issues of common interest, including the repatriation of former M23 combatants and the situation of refugees, were also discussed.

47. In line with the recommendation of the Expanded Joint Verification Mechanism following its investigation into border skirmishes between security forces of the Democratic Republic of the Congo and Rwanda near Kibumba, North Kivu in June, the Democratic Republic of the Congo Joint Border Commission reconvened in Goma from 4 to 7 August. Meeting after a long hiatus owing to the M23 conflict, participants agreed to undertake a mission to clarify contentious land border areas, which took place from 25 to 30 August and identified the location of 22 border markers.

III. Implementation of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

Good offices of my Special Representative

48. Following the objections voiced by President Kabila in May regarding third-party-led round tables on electoral matters, my Special Representative and MONUSCO consulted all stakeholders, including the Commission électorale nationale indépendante and the main majority and opposition parties, to devise a new formula to fulfil the Special Representative's mandated role of good offices. All parties expressed support for continuing a dialogue on electoral issues, with the support of the good offices of MONUSCO.

49. The senior leadership of MONUSCO, including the two Deputy Special Representatives, also met extensively with relevant Government Ministers and senior officials and facilitated meetings with the international community on key issues, including disarmament, demobilization and reintegration planning, security sector reform, the repatriation of former M23 elements and the voluntary disarmament of FDLR. My Deputy Special Representative for Rule of Law and Operations East supported the Minister of Defence in finalizing the third national disarmament, demobilization and reintegration plan, which was launched on 11 July, and worked closely with Government counterparts on advancing the repatriation process for former M23 elements, namely preparing the joint technical mission of

the Government, the International Conference on the Great Lakes Region, MONUSCO and the Office of the Special Envoy for the Great Lakes Region to Rwanda from 17 to 21 July. The mission identified 453 of the 767 former M23 elements cantoned at the Ngoma and Gisovu regrouping sites as potential beneficiaries of the Amnesty Law of 11 February. The remaining 314 former M23 elements could not be accounted for since they were not present at the sites during the mission.

Protection of civilians

50. In July, MONUSCO improved its early warning and response mechanisms at all Mission levels. The effectiveness of these mechanisms was demonstrated on 9 July in Mambasa territory, Orientale Province. Alerts triggered an immediate military response from the Mission, which deployed 70 troops to the area to protect civilians against increasingly threatening activities by FRPI.

51. Within the framework of its strategy to fight insecurity and protect the civilian population in Beni, the United Nations police opened two free hotlines through which the population could contact the Congolese National Police. As at 2 September, 240 calls had been received, prompting 125 follow-up actions by the Congolese National Police and leading to 93 arrests.

52. Over 90 community protection committees in five provinces continued to manage local protection plans aimed at improving preventive responses by MONUSCO and Congolese authorities. In July, the Mission initiated support to the establishment of community protection plans in 36 existing company operating bases/temporary operating bases.

53. Completed in July 2014, a best practices review of community alert networks assessed that such networks were effective protection tools. The review recommended their use in other peacekeeping operations.

54. As part of the implementation of local protection plans, over 469 early warning alerts were transmitted between 1 July and 1 September. The MONUSCO Force responded directly in 13 per cent of cases; 43 per cent of the alerts were conveyed to Congolese security forces and 36 per cent to local civilian authorities. In approximately 46 per cent of all alerts received, violations against civilians were either halted or the perpetrators arrested, or the potential threats were deterred.

Mission deployment and neutralizing armed groups

55. The MONUSCO Force continued to support the FDLR voluntary disarmament process by securing former combatants who had surrendered and their dependants. Meanwhile, the monitoring of FDLR activities continues and joint plans with FARDC for military action are being prepared, should the process fail.

56. MONUSCO supported FARDC operations against ADF, NDC/Cheka and the Alliance des patriotes pour un Congo libre et souverain (APCLS) in North Kivu, through joint planning, situational awareness, logistics and fire support.

57. At the request of the Congolese authorities, MONUSCO facilitated the safe evacuation from several locations within the area of operations, to Beni and then Goma, of an estimated 50 ADF dependants. MONUSCO also provided logistical support to encourage ADF and NDC/Cheka elements to surrender through leaflet drops and radio broadcasts.

Support to defence sector reform and police reform

58. On 27 June, the plenary of the National Committee for Police Reform adopted a policy document on human resources management and, on 15 August, a draft decree regulating the conditions and modalities of engagement of the mobile intervention units of the Congolese National Police. MONUSCO contributed to the development of both documents.

59. MONUSCO and the European Union Mission of Assistance for Security Sector Reform in the Democratic Republic of the Congo also continued to chair regular meetings of key FARDC reform partners, with a view to harmonizing the contributions of international partners to army and defence reform and to help to advance the rapid reaction force concept.

60. MONUSCO trained a total of 915 officers of the Congolese National Police, including 64 women, on such topics as crowd control, traffic police and coaching. A total of 187 officers were trained in community policing in Bukavu, South Kivu, with the support of the Department for International Development of the Government of the United Kingdom of Great Britain and Northern Ireland, while 245 officers were trained on the same issue in Kisangani and Bunia, with support from UNDP. A total of 302 officers completed their training in policing of mining sites, community policing and addressing sexual and gender-based violence at a facility in Mugunga built under the International Security and Stabilization Support Strategy in support of the Government's stabilization and reconstruction plan for areas emerging from armed conflict.

Justice and corrections institutions

61. Through its prosecution support cells, MONUSCO continued to provide technical and logistical support to military justice authorities to investigate and prosecute war crimes, crimes against humanity and other serious crimes.

62. In July and August, MONUSCO supported the military courts of Katanga Province and Orientale Province in conducting mobile court proceedings in Pweto, Komanda and Dungu relating to the prosecution of members of FARDC and armed groups charged with rape and other serious crimes. MONUSCO also supported the organization of mobile court proceedings in South Kivu for the trial of Lieutenant Colonel Engagela, alias "Colonel 106", charged with crimes against humanity, including rape and murder, allegedly committed between 2000 and 2006.

63. During the reporting period, within the framework of the joint justice support programme, MONUSCO and UNDP finalized the programme component for support to the Constitutional Court and other higher jurisdictions and began developing a resource mobilization strategy. The Mission also supported the Ministry of Justice in assessing the 2007-2012 national justice reform strategy and continued to engage with the Government on the preparation of a new strategy.

64. During the reporting period, two corrections staff members were seconded to UNDP to support prison reform projects under the joint justice support programme. In July, MONUSCO organized five workshops on security and prison management in Bukavu, Butembo and Goma. In August, it started implementing a quick-impact project to construct separate facilities for women prisoners in the prison in Uvira, South Kivu. Four prison rehabilitation programmes were also handed over to local authorities in Goma. In the absence of major stakeholders that provide corrections-

related support in the Democratic Republic of the Congo, MONUSCO continued to provide critical advisory and technical support, including capacity-building through co-location with the Government, on prison management, health care and security. However, there continued to be a lack of national ownership and accountability on prison matters, leading to deplorable prison conditions and insecurity.

Stabilization and peace consolidation

65. From 15 to 17 July, in cooperation with the stabilization and reconstruction plan for areas emerging from armed conflict, MONUSCO organized a workshop to identify priority zones for programming within the framework of the International Security and Stabilization Support Strategy. Work under the plan is carried out, in collaboration with partners, to conduct assessments that inform the development of provincial stabilization plans and provincial action plans.

66. On 1 September, two initial pilot projects for stabilization in Kalehe, South Kivu, and in Mambasa, Orientale Province, were submitted for approval to the Peacebuilding Fund. These projects are aligned with the islands of stability and International Security and Stabilization Support Strategy priority zones.

Extraction and trade of natural resources

67. By 1 July 2014, all MONUSCO activities related to the implementation of the project on mineral trading centres were transferred to the International Organization for Migration (IOM). However, MONUSCO continued to monitor the security situation in the mining sites and to share expertise with IOM for the establishment of a conflict-free minerals supply chain.

Support to disarmament, demobilization and reintegration and to disarmament, demobilization, repatriation, resettlement and reintegration

68. During the reporting period, 121 Congolese armed group members (48 combatants and 73 children associated with armed groups) and 61 foreign armed group elements participated in the MONUSCO disarmament, demobilization and reintegration programme. Thirty-six of those 61 were combatants, including 35 from FDLR, while 7 were children associated with armed groups and 18 were dependants. Furthermore, 65 FDLR elements, including 4 children associated with armed groups and 24 dependants, were repatriated.

69. On 11 July, the Vice Prime Minister and Minister of Defence officially shared the finalized National Programme for Disarmament, Demobilization and Reintegration III document, including an operational plan, with donors for resource mobilization and announced the Government's contribution of $10 million to the $85 million four-year plan. MONUSCO will contribute $8 million.

70. Providing logistical and political support to the FDLR disarmament process continued to be the Mission's top priority. As at 25 August, MONUSCO had provided 53 special flights for regional and international partners, including the International Conference on the Great Lakes Region, SADC and States Members of the United Nations, 16.2 tons of food, 213,000 litres of water, 130 tents and 1,300 mattresses, as well as additional goods and services to 621 persons (186 combatants and 435 dependants) housed in Kanyabayonga and Walungu regrouping sites in North and South Kivu, respectively. The refusal by the FDLR

leadership to order the move from these temporary regrouping sites, which have reached their full capacity, to Kisangani contributed to, among other things, preventing further surrenders.

Electoral support

71. At the request of the Commission électorale nationale indépendante, MONUSCO provided logistical support to transport personnel and over 70 tons of electoral equipment during the ongoing update of the voters' register and the mapping of polling stations. This effort was extended to assist with the organization of the legislative by-elections in Befale territory, in Equateur Province.

Human rights

72. Serious human rights violations continued to be committed by armed groups and State agents. Investigations carried out by the United Nations Joint Human Rights Office in June and July indicated that at least 34 Bafuliiru had been killed, including 16 women and 8 children, and at least 24 people had been wounded. In addition, 10 houses and 1 church were burned down in an attack on 6 June by Banyamulenge and Barundi militias on Mutarule village, Uvira territory, in South Kivu. Some of the victims were allegedly burned alive and others were shot or hacked with machetes.

73. In the pre-electoral context, MONUSCO continued to document human rights violations against members of the political opposition or others critical of the policies and actions of the Congolese authorities, journalists, human rights defenders and, in some cases, their family members.

74. In Kasai Orientale, the conviction of a member of the opposition party Union pour la démocratie et le progrès social for libel was upheld on appeal on 21 July during a mobile court hearing of the Tribunal de Grande Instance of Mbuji-Mayi. He was sentenced to 12 months in prison and fined 5 million Congolese francs. On the night of 2 to 3 August, 11 civilians, including 1 activist from the human rights non-governmental organization La Voix des Sans Voix pour les droits de l'homme, were reportedly detained in Kinshasa by a group of FARDC and Congolese National Police elements during search operations for an alleged suspect in the 22 July shootings at the Tshatshi military camp. The activist was reportedly released on 12 August. On 15 August, the General Secretary of the Parti de la révolution du peuple was reported to have been beaten up and abducted by a group of unidentified armed men presumed to be agents of the Agence nationale de renseignements. MONUSCO confirmed that she received medical treatment at the hospital operated by the intelligence services. Mike Mukebayi, the editor of the paper *CongoNews*, has been detained since 21 August, reportedly for libelling Cardinal Monsengwo, the Archbishop of Kinshasa, in an article published in the paper.

Sexual violence

75. Armed groups and national security forces continued to commit crimes of sexual violence. Of the 37 cases recorded throughout the country, 15 were committed by FARDC and 10 by Mayi-Mayi combatants from different groups, 18 of which occurred in North Kivu, South Kivu and Orientale Provinces.

76. On 9 July, in line with his commitments following the national consultations in October 2013 and the April 2014 Parliamentary Forum of the International

Conference on the Great Lakes Region, President Kabila appointed Jeannine Mabunda Lioko Mudiayi as his Special Adviser on Sexual Violence and Child Recruitment.

77. MONUSCO, with United Nations and other development partners, continued to support national stakeholders, including the Ministry of Gender and civil society, on issues relating to sexual violence. This included a review of the national Comprehensive Strategy for Combating Gender Violence adopted by the Government in 2009.

78. My Special Representative on Sexual Violence in Conflict, Zainab Hawa Bangura, completed a five-day visit to Kinshasa on 1 September. With the support of her office and the United Nations, a draft FARDC action plan on sexual violence was presented to the press by the Minister of Defence on 30 August after a two-day workshop organized by the Government.

Child protection and armed conflict

79. As at 12 September, MONUSCO had documented 128 cases of children (4 girls and 124 boys) who had escaped or were separated from armed groups. Of these, five were Ugandan and one was Rwandan. MONUSCO is in the process of documenting the cases of 25 Congolese girls who were reported to have escaped from LRA. In addition, the Mission continues to receive information from reliable sources indicating the recruitment and use of children by armed groups, including Mayi-Mayi Nyatura and FDLR-Forces combattantes Abacunguzi in Rutshuru territory, ADF in Beni territory, NDC/Cheka in Walikale territory, Mayi-Mayi Mulumba in Fizi territory, Mayi-Mayi Nakishale in Uvira territory and Raia Mutomboki in Masisi territory.

80. Furthermore, 30 children formerly associated with armed groups, who had been detained by FARDC and the Agence nationale de renseignements, were released. On 15 August, FARDC and MONUSCO jointly launched Opération Sauvetage in Beni territory to rescue children formerly associated with ADF as dependants, hostages or combatants hiding in Virunga National Park. As at 12 September, 41 children had been rescued and are receiving appropriate care and assistance.

81. Pursuant to the action plan to end and prevent the recruitment and use of children and sexual violence by Government armed forces signed in October 2012, a United Nations-Government of the Democratic Republic of the Congo provincial joint technical working group was established in Goma on 29 August. The working group will facilitate the implementation of the action plan in North Kivu.

Monitoring the implementation of the arms embargo

82. There were no major events related to the arms embargo during the reporting period. However, relevant information continued to be systematically shared with the Group of Experts on the Democratic Republic of the Congo and exploited internally by MONUSCO.

Support for the disposal of explosive ordnance

83. During the reporting period, the United Nations Mine Action Service trained 90 personnel from MONUSCO, United Nations agencies and national security

forces on awareness on improvised explosive devices. Despite a significant reduction in resources, the Service destroyed 24 tons of expired ordnance stocks and 6,948 items of unexploded ordnance. This work significantly improved the safety of military contingents and increased the freedom of movement of the local population and humanitarian agencies in the Kivus and Katanga. The Service continued to carry out humanitarian clearance and advocacy activities to support national mine action authorities.

IV. Safety and security of United Nations personnel within the context of the operations of the Force Intervention Brigade

84. To date, the support by MONUSCO to FARDC-led operations against armed groups has not resulted in any discernible increase in threats to the United Nations personnel in the Democratic Republic of the Congo. Nevertheless, security risk management measures remain in place.

V. Road map for the transfer of tasks and mission reconfiguration

85. The handover of substantive responsibilities to the United Nations country team was completed on 1 July. Consequently, MONUSCO no longer performs the following responsibilities in the non-conflict-affected areas, as described in my report of December 2013 (S/2013/757): human rights training, children affected by armed conflict, sexual violence, mine action, justice and corrections, extraction and trade of natural resources (including in conflict-affected areas) and consolidation of peace and democracy. For the majority of these responsibilities, the full continuation of activities depends on generating additional resources and on the reversal of the declining field presence of the United Nations country team. Electoral assistance, however, continued to pose a significant challenge, since donors put the funding of the proposed UNDP electoral assistance project on hold.

86. In August, MONUSCO finalized the implementation of its reconfiguration with the redeployment from the west to the east of civilian, police and military personnel in support of more robust and effective operations in areas affected by armed conflict. Existing field offices in North and South Kivu, Katanga and Orientale Provinces were reinforced through the redeployment of 71 staff members and were empowered to assume new responsibilities through the pursuit of an area-based approach to the Mission's operations. Heads of office now have greater autonomy to advocate for early stabilization activities specific to their area of operations, coordinate, and realign resources, including increased funding for quick-impact projects within the Mission, which enables them to better resource such activities, focused mainly on island of stability locations.

87. The streamlined Mission headquarters in Kinshasa continued to support progress against national commitments outlined in the Peace, Security and Cooperation Framework and mandated tasks, including the good offices role of my Special Representative and the wide-ranging partnership mobilized around his coordination initiative in respect of disarmament, demobilization and reintegration, elections, security sector reform and stabilization. Antenna offices were fully

operational in the western locations of Bandundu, Kananga, Kindu, Matadi, Mbandaka and Mbuji-Mayi and carried out monitoring and reporting functions jointly with the United Nations country team. MONUSCO co-located with the country team in two locations, notably with the United Nations Children's Fund (UNICEF) in Mbandaka, Equateur Province, and in Kananga, Kasai Occidental.

88. From 21 to 28 July, a joint MONUSCO-United Nations Headquarters civilian staffing review was undertaken to assess the existing civilian staffing structure and put forward recommendations on how to rationalize and right-size it for effective mandate implementation. Its main findings will inform the preparation of the 2015/16 budget for MONUSCO.

VI. Observations

89. I have been encouraged by the successful military operations conducted by FARDC with the support of MONUSCO. These have resulted in a considerable weakening of ADF and, to a lesser extent, some other armed groups. However, I remain concerned that, on the whole, the situation in eastern Democratic Republic of the Congo since the defeat of M23 has evolved more slowly than expected. The neutralization and disarmament of FDLR is stalled. The repatriation of former M23 combatants has seen too little progress and the national disarmament, demobilization and reintegration plan has not yet been fully funded or implemented. Political uncertainty surrounding elections has continued to fuel a number of local conflicts.

90. Despite improvements in security in some areas, some returns of displaced persons and the redeployment of the police, gains remain tenuous and progress in preparing and mobilizing support for the safe and voluntary return of refugees has been slow. Some disarmed combatants have returned to the bush. While previous threats to the authority of the State in eastern Democratic Republic of the Congo have been mitigated, residual armed groups continue to fight over territory and mining sites and to attack and harass civilians. As a new and complex initiative requiring mobilization of and coordination with the Government and the International Security and Stabilization Support Strategy, islands of stability have been slow to emerge, but are gradually gaining traction.

91. If successfully completed, the voluntary disarmament of FDLR would be a breakthrough in ending the cycle of violence that has characterized eastern Democratic Republic of the Congo and the Great Lakes region for decades. However, since the inception on 30 May of the current disarmament plan, the process has dashed many hopes. The Government of the Democratic Republic of the Congo, echoed by regional Heads of State at the mini-summit of the International Conference on the Great Lakes Region held in Luanda on 14 August, has made clear that FDLR should either disarm peacefully before the end of 2014 or face military action. At the midterm review of the FDLR disarmament process in early October, States members of the International Conference and SADC, with United Nations support, are expected to evaluate the process based on clear benchmarks and take important decisions on how to move it forward. I call upon FDLR to disarm unconditionally and, for most of them, begin repatriation to Rwanda, which has already seen some 11,000 former FDLR elements return home safely over the past decade. A small number of FDLR elements may be temporarily relocated to third

countries. However, those suspected of grave violations of human rights and international humanitarian law will have to be tried.

92. I also encourage the Governments of the Democratic Republic of the Congo, Rwanda and Uganda, in line with the communiqué of the mini-summit of the International Conference on the Great Lakes Region of 14 August, to act swiftly to implement the Nairobi Declarations of 12 December 2013 and set out a time-bound road map for the repatriation of former M23 combatants from Rwanda and Uganda. In particular, the Government of the Democratic Republic of the Congo needs to accelerate the processing of amnesty requests signed by former M23 combatants, whose individual repatriation depends on the completion of this process. I commend the Congolese authorities for having ensured that all those who presented themselves had the opportunity to sign commitment acts to receive amnesty. I also commend the good cooperation of the Governments of Rwanda and Uganda in facilitating the respective technical missions led by the Government of the Democratic Republic of the Congo to prepare for the repatriation of former M23 combatants. All such combatants should be demobilized and the members of the group who are accused of serious crimes should face justice.

93. The advancement of this repatriation process only adds to the urgency of putting into effect the national disarmament, demobilization and reintegration plan. The repatriation of former M23 elements could add over 2,000 former combatants to the existing caseload of 4,000 from other armed groups. I urge partners to commit the necessary additional funds for disarmament, demobilization and reintegration. Continued delays will only increase the risks of failure, which could engender the emergence of new armed groups.

94. The establishment of the Constitutional Court and the transmission to the National Assembly by the Government of the three draft laws on the organization of local, provincial and general elections represent positive steps towards the goal of organizing the complete 2014-2016 electoral cycle. However, these are only partial and belated steps, which have not yet succeeded in inspiring the full confidence of all stakeholders in the electoral process. I remain concerned about the slow progress in determining the full legal framework, timeline and budgetary allocations, which are essential for completing the electoral cycle. I therefore encourage the Democratic Republic of the Congo to act swiftly to put in place these building blocks to ensure timely, peaceful and transparent elections, in accordance with the Constitution.

95. Dialogue is key to guaranteeing inclusivity, participation and wide acceptance of future results in the electoral process. For now, dialogue, especially among the main protagonists, namely, the Commission électorale nationale indépendante, the Government, political parties and civil society, remains limited, and deepening divergences around the electoral process continue. I reiterate my full support for my Special Representative in carrying out his critical, mandated good offices role to help to forge a basic consensus around the modalities for organizing the elections.

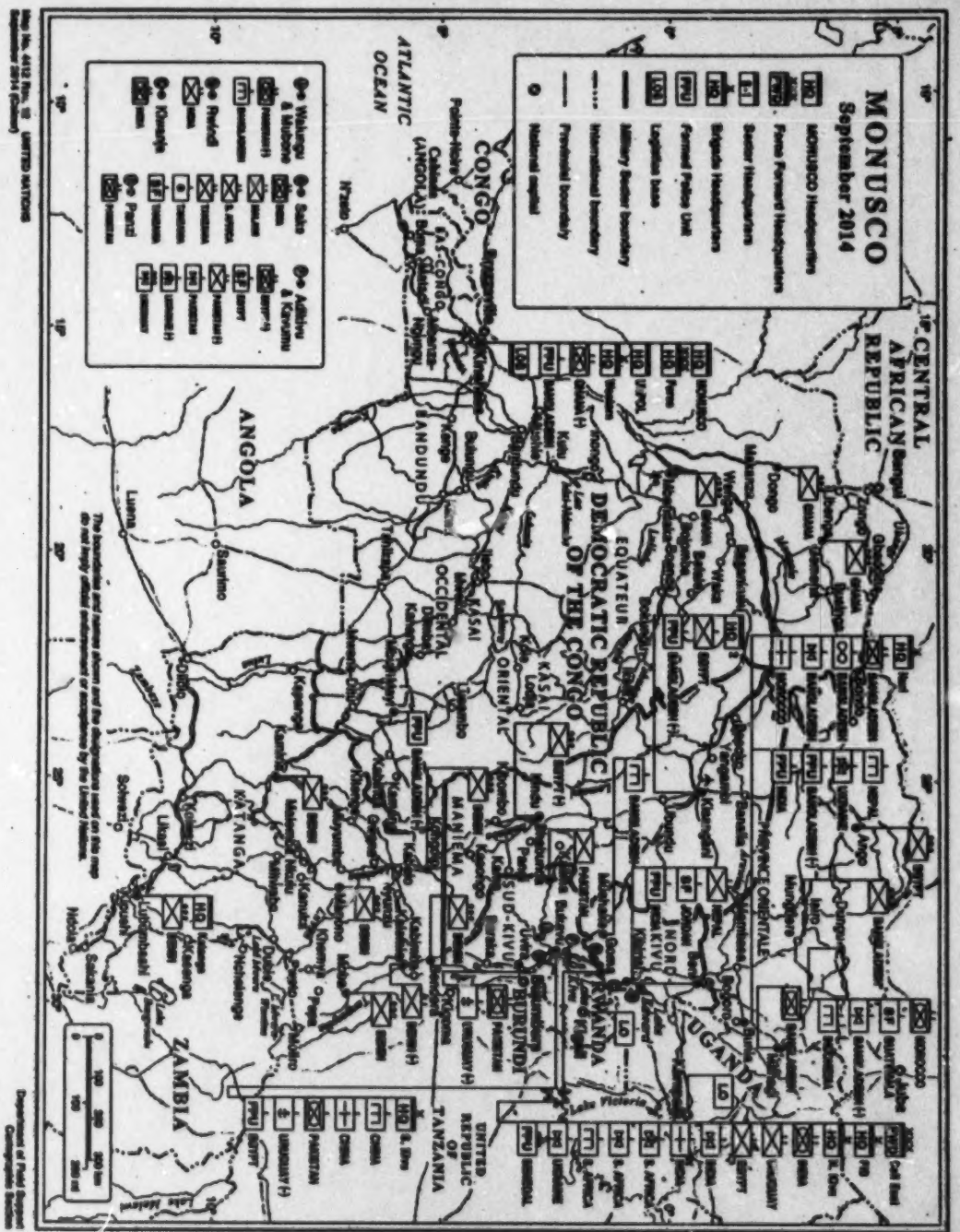
96. MONUSCO will continue to support the judiciary in fighting impunity for human rights violations, including by providing support for trials. I also urge the Government of the Democratic Republic of the Congo to ensure the timely adoption of the draft laws on the implementation of its obligations as a State party to the Rome Statute of the International Criminal Court and the creation of a specialized, mixed chamber, both of which are important tools in the fight against impunity.

97. The improvement in the security situation is not yet irreversible. The Mission and the Congolese authorities should remain vigilant so that they are able to deter violence against civilians and intervene effectively when attacks are launched. There is a need to ensure the protection of civilians through prevention, mobility and active intervention rather than mere presence. In that connection, early warning mechanisms have been reinforced and joint preventive actions have increased. However, the Congolese authorities also need to do more to identify and prosecute perpetrators in such complex conflicts, where cycles of reprisals can be perpetuated. I call upon the Congolese authorities at the highest levels to denounce ethnically targeted attacks and to work more effectively with civil society groups and local community leaders to foster reconciliation and prevent conflict among communities. The United Nations will fully support those efforts.

98. It is crucial that the root causes of instability in the Democratic Republic of the Congo be addressed in a determined manner and without delay. I urge the Government to work with MONUSCO and the international community to implement the Peace, Security and Cooperation Framework, advance security sector reform, in particular defence sector reform, strengthen guarantees for the independence of the judiciary and accelerate the installation of the Constitutional Court and the other superior jurisdictions foreseen by the Constitution. I also call upon the Government to take action to ensure that the National Human Rights Commission becomes fully operational. In addition to protection and early warning mechanisms being established at the local level, much more needs to be done to ensure that credible and functional structures are put in place at the local level to support conflict prevention and reconciliation and facilitate the return and reintegration of refugees and displaced persons.

99. I wish to express my appreciation to my Special Representative, Martin Kobler, and my former Special Envoy for the Great Lakes Region, Mary Robinson, for their tireless efforts in mobilizing the necessary national, regional and international attention to find lasting solutions to the situation in eastern Democratic Republic of the Congo. I welcome my new Special Envoy for the Great Lakes Region, Said Djinnit, who assumed his functions on 1 September, and call upon all partners to lend him their unwavering support in carrying out his mandate. I also pay tribute to the commendable contribution of the envoys of the African Union, the European Union and the United States, as well as the International Conference on the Great Lakes Region and SADC, in the pursuit of peace and stability in the Democratic Republic of the Congo and the region. I would like to express my gratitude to all the personnel of MONUSCO and the United Nations country team for their courage and determination in undertaking their duties in a challenging and unpredictable environment. I also thank the countries contributing troops and police to MONUSCO, donor countries, international and regional organizations and non-governmental organizations for their invaluable support to the Democratic Republic of the Congo.

Map


MONUSCO
September 2014
MONUSCO Headquarters
Force Forward Headquarters
Sector Headquarters
Brigade Headquarters
Formed Police Unit
Logistics base
Military Sector boundary
International boundary
Provincial boundary
National capital
CONGO
ATLANTIC OCEAN
CENTRAL AFRICAN REPUBLIC
ANGOLA
DEMOCRATIC REPUBLIC OF THE CONGO
ZAMBIA
UNITED REPUBLIC OF TANZANIA
UGANDA
RWANDA
BURUNDI
Lake Victoria
Lake Malawi
BANDUNDU
EQUATEUR
KASAI ORIENTAL
KASAI OCCIDENTAL
MANIEMA
KATANGA
SUD-KIVU
NORD-KIVU
PROVINCE ORIENTALE
Kinshasa
Matadi
Boma
Luena
Saurimo
Kolwezi
Lubumbashi
Kisangani
Bunia
Goma
Bukavu
Uvira
Kalemie
Kindu
Mbandaka
Gbadolite
Zongo
Obo
Nzara
Aru
Arua
Moroto
Gulu
Kitgum
Kasese
Kabale
Mbarara
Entebbe
Kampala
Jinja
Tororo
Mombasa
Dar es Salaam
Kigoma
Mpulungu
Nairobi
Juba
Wau
Malakal
Bentiu
Abyei
Khartoum
Addis Ababa
Asmara
Djibouti
Mogadishu
Kismayo
Bangui
Pointe-Noire
Cabinda (ANGOLA)
Lubango
Namibe
Walvis Bay
Windhoek
Ndola
Kitwe
Solwezi
Mansa
Kasama
Lilongwe
Blantyre
Beira
Tete
Harare
Bulawayo
Francistown
Gaborone
Maputo
Nampula
Pemba
Lichinga
Nacala
Quelimane
Chimoio
Inhambane
Xai-Xai
Maputo
Durban
Port Elizabeth
Cape Town
Walvis Bay
Swakopmund
Luderitz
Keetmanshoop
Upington
Kimberley
Bloemfontein
Johannesburg
Pretoria
Polokwane
Nelspruit
Richards Bay
Pietermaritzburg
East London
Port Elizabeth
Cape Town
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Obo
Nzara
Aru
Arua
Moroto
Gulu
Kitgum
Kasese
Kabale
Mbarara
Entebbe
Kampala
Jinja
Tororo
Mombasa
Dar es Salaam
Kigoma
Mpulungu
Nairobi
Juba
Wau
Malakal
Bentiu
Abyei
Khartoum
Addis Ababa
Asmara
Djibouti
Mogadishu
Kismayo
Bangui
Pointe-Noire
Cabinda (ANGOLA)
Lubango
Namibe
Walvis Bay
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Mansa
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Tete
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